

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SAVADORE URRUTIA, JR.,	:	CIVIL ACTION NO. 1:05-CV-0259
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
DIANNE QUILL, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 24th day of May, 2005, upon consideration of plaintiff's motion to strike (Doc. 18) the motion to dismiss,¹ it is hereby ORDERED that:

1. The motion to strike (Doc. 18) is DENIED.
2. Plaintiff shall a brief in opposition to defendants' motion to dismiss (Doc. 9) on or before June 3, 2005. Failure to comply with this order may result in the granting of the motion or the dismissal of this case for failure to prosecute. See L.R. 7.6; FED. R. CIV. P. 41(b).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

¹ Plaintiff argues that the motion should be stricken due to defendants' failure to file timely their brief in support. See L.R. 7.5 ("Within ten (10) days after the filing of any motion . . . the party filing the same shall file a brief . . . [or] such motion shall be deemed withdrawn."). The court notes that although defendants' brief was filed four days out of time (compare Doc. 9 with Doc. 13), plaintiff did not file any brief in support of the instant motion.